THE BOMBAY AGRICULTURAL PRODUCE MARKETS ACT, 1939 (BOM. XXII OF 1939).

G. N., R. D., No. 991/33(a), dated 5th April 1941 (B. G., Pt. IV-B, p. 232). S. 25

In exercise of the powers conferred by section 25 of the Bombay Agricultural Produce Markets Act, 1939 (Bom. XXII of 1939), the Government of Bombay is pleased to delegate to the Collectors, the Prant Officers, the Mamlatdars and the Mahalkaris the power to grant licenses under sub-section (*2*) of section 4 of the said Act.

G. N., R. D., No. 991/33, dated 28th June 1941 (B. G., Pt. IV-B, p. 569). S. 26 Bombay Agricultural Produce Markets Rules, 1941.

Amended by G. N., R. D., No. 991/33, dated 23rd January 1942.
Amended by G. N., R. D., No. 991/33, dated 6th April 1942.

In exercise of the powers conferred by section 26 of the Bombay Agricultural Produce Markets Act, 1939 (Bom. XXII of 1939), the Government of Bombay is pleased to make the following rules :—

PART I.

PRELIMINARY.

1. *Short title.*—These rules may be called the Bombay Agricultural Produce Markets Rules, 1941.

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context,—

(*i*) "Act" means the Bombay Agricultural Produce Markets Act, 1939.

(*ii*) "Authorised weights, measures or weighing or measuring instruments" mean such weights, measures or weighing or measuring instruments as are permitted to be used under the provisions of the Bombay Weights and Measures Act, 1932.

(*iii*) "Broker" means an agent whose ordinary course of business is to negotiate and make contracts on payment of commission for the purchase or sale of agricultural produce on behalf of his principal, but does not include the servant of such principal whether engaged in negotiating or making such contracts.

(*iv*) "Financial year" means the year commencing on the first day of April.

(*v*) "Form" means a form appended to these rules.

(*vi*) "General commission agent" means a person who on behalf of another person and in consideration of "adat" or commission makes or offers to make, a purchase or sale of agricultural produce or does or offers to do anything necessary for completing and carrying out such purchase or sale.

(*vii*) "Government" means the Government of Bombay.

(*viii*) " Market " includes a market proper and market yard.

(*ix*) " Market proper " means the area declared to be a market proper under clause (*b*) of rule 51.

(*x*) " Market yard " means any area declared to be a market yard under clause (*a*) of rule 51.

(*xi*) " Organisation of agriculturists " means the co-operative societies recognised to be organisation of agriculturists under rule 3.

(*xii*) " Revenue year " means the year commencing on the first day of August.

(*xiii*) " Secretary " means the person appointed as the Secretary of the Market Committee under these rules or any officer or servant appointed for the time being to perform the duties of the Secretary.

(*xiv*) " Section " means a section of the Act.

(*xv*) " Surveyor " means a person whose business it is to survey a consignment of agricultural produce for sale in regard to quality, refraction, adulteration and such other purposes.

(*xvi*) " Trader " means a person buying or selling agricultural produce as a principal or as the duly authorised agent of one or more firms.

(*xvii*) " Unauthorised trade allowance " means a trade allowance not prescribed by these rules or bye-laws.

(*xviii*) Words and expressions used in the Act and not defined in these rules shall have the meanings assigned to them in the Act.

3. *Organisations of agriculturists.*—All rural co-operative credit societies, better farming, better living and joint farming co-operative societies and taluka development associations registered under the Bombay Co-operative Societies Act, 1925, and operating in a market area shall, for the purposes of section 6, be deemed to be the organisations of agriculturists for the said area.

Exception.—Co-operative multi-purpose societies and co-operative sale societies doing business of buying or selling agricultural produce, with or without commission, shall not be deemed to be organizations of agriculturists for the purposes of the said section.

PART II.

Constitution of Market Committees and Election.

4. *Number of members of a market committee.*—Except in the case of market committees deemed to have been constituted under section 31, every market committee shall, subject to the provisions of sub-section (*1*) of section 6, consist of such number of members as may be determined by the Collector.

5. *Constitution of the first market committee.*—Except in the case of any market area for which a market committee is deemed to have been constituted under section 31, the Collector, on the declaration of any area as a market area under sub-section (*1*) of section 4, shall, in consultation with the Director, nominate persons to constitute the market committee for the said area.

6. *Disqualifications for memberships.*—A person shall be disqualified for being chosen as a member of a market committee—

(1) if his name is not entered on the voters' list prepared and maintained under these rules ;

(2) if he has not attained the age of 21 ;

(3) if he has been adjudged by a competent court to be of unsound mind ;

(4) if he is an undischarged insolvent ;

(5) if he has been convicted and sentenced by a court, within or without India, to imprisonment for an offence punishable with imprisonment for a term exceeding six months unless such disqualification has been removed by an order passed by Government ;

(6) if he is a servant of the market committee or holds a license from such committee as a broker, weighman, measurer or surveyor ;

(7) if he has directly or indirectly any share or interest in any contract or employment with, or on behalf of, or under, the market committee :

Provided that a person shall not be chosen as a member representing the traders' constituency if he does not ordinarily reside within 10 miles of the market yard and if he has not been registered under rule 65.

Explanation.—For the purposes of this rule a person shall be deemed to be ordinarily residing within 10 miles of the market yard, if he resides in such yard for not less than 180 days in a calendar year.

7. *Constituencies.*—For the purpose of electing members to a market committee in every market area, the following shall be the constituencies :—

(1) Agriculturists' Constituency.

(2) Traders' Constituency.

(3) Local Authorities' Constituency.

8. *Persons qualified to vote—*

I. *Agriculturists' Constituency.*

The following persons shall be qualified to vote in an agriculturists' constituency :—

(*a*) all members of the organizations of agriculturists operating in the market area ;

(*b*) where no such organisations exist, the following agriculturists ordinarily residing within the market area, namely :—

(*i*) holders of land whether unalienated or alienated, assessed or assessable jointly or severally at not less than Rs. 8, at the end of the revenue year immediately preceding the financial year in which the election is held, or

(*ii*) tenants of unalienated lands assessed at not less than Rs. 8 at the end of the revenue year immediately preceding the financial year in which the election is held, or

(*iii*) tenants of alienated lands assessed or assessable at not less than Rs. 8 at the end of the revenue year immediately preceding the financial year in which the election is held.

Explanations.—(1) A person shall be deemed to reside ordinarily within any area if he—

(*a*) has actually resided within the area for an aggregate period of not less than 180 days during the calendar year preceding that in which the lists of voters for the time being under preparation for such area are provisionally published under sub-rule (3) of rule 10 ; or

(*b*) has maintained within the area for an aggregate period of not less than 180 days during the calendar year preceding that in which the lists of voters for the time being under preparation for such area are provisionally published under sub-rule (3) of rule 10, a dwelling for himself in charge of his dependents or servants and has visited such dwelling during the year first mentioned in connection with his business in the area.

(2) If any question arises whether any person is or is not an agriculturist for the purposes of this rule, the Collector shall decide it and his decision shall be final.

(3) No person shall be entitled to have his name entered in the list of voters for more than one market area or as member of more than one organization of agriculturists.

II. *Traders' Constituency.*

The following persons shall be qualified to vote in a traders' constituency :—

(*a*) all persons licensed under sub-section (*2*) of section 4 in the market area before the date fixed in this behalf by the Collector ;

(*b*) all traders approved by the market committee and registered as such under rule 65 before the date fixed in this behalf by the Collector.

III. *Local Authorities' Constituency.*

(*a*) In a case in which the market area is wholly within the limits of a local authority, the members of such local authority shall be elected as provided by section 6 (*1*) (*iii*) (*a*) to (*c*) ;

(*b*) In a case where the market area is within the limits of more than one local authority, each local authority shall select three persons from among the councillors or the members of such local authority and the persons so selected shall be qualified to vote for election of a representative of such local authorities on the market committee.

9. *Names of persons qualified to vote to be reported to Collector or market committee, as the case may be.*—(1) Every organization of agriculturists and every local authority selecting the persons qualified to vote under rule 8-III (*b*) shall report the names of the persons qualified to vote to the Collector on or before the date fixed in this behalf by the Collector.

(2) Every firm, corporation or co-operative society qualified to vote in a traders constituency under these rules shall nominate a person to vote on its behalf and intimate in writing the name of the person, so nominated, to the market committee or its authorised agent, not later than the date fixed in this behalf by the Collector.

10. *Voters' List.*—(1) The Collector or any other person authorised by him in this behalf hereinafter in this rule referred to as such person shall cause to be prepared separate lists of voters qualified to vote for the Agriculturists' Constituency, Traders' Constituency and the Local Authorities' constituency in cases in which there are more than one local authority within a market area. Every such list shall be revised for each triennial election, provided that in the case of the list of voters qualified to vote for the local authorities' constituency Government may direct the revision of such list also at any other time before the next triennial election is due. The Collector or such person shall for this purpose call upon the market committee to prepare from market registers and to furnish to him the names of all persons qualified to vote in the traders' constituency representing the traders' electorate. In market areas which are within the limits of more than one local authority, the Collector or such person shall also call upon each of the local authorities concerned to intimate to him the names of the persons qualified to vote in the local authorities' constituency. He shall also call upon the organizations of agriculturists within the market area to intimate to him the names of persons qualified to vote under the agriculturists' constituency and where no organisation of agriculturists exists, he shall cause to be prepared a list of persons qualified to vote under rule 8-I (*b*).

(2) Every list of voters prepared under sub-rule (1) shall show the full name, residence and serial number of the voter and the nature of his qualification.

(3) Every such list shall be published provisionally in such manner as the Collector or such person may deem fit.

(4) When publishing the list provisionally the Collector or such person shall fix a date, not later than one month from the date of publication of the lists before which any application for the inclusion, exclusion or correction of any entry shall reach him. The Collector or such person or any other officer appointed by the Collector for the purpose shall hear and decide any applications and objections received before the date so fixed and the decision of the Collector, such person or the other officer relating to such application or objection shall be final.

(5) The Collector or such person shall cause the lists to be amended in accordance with the orders passed under sub-rule (4) and shall cause them to be republished finally in the regional language of the market area in such manner as he may deem fit.

(6) Copies of such final lists shall be made available for inspection and sale in whole or in part in the office of the Collector or such person.

(7) The final lists republished under sub-rule (5) shall remain in force and continue in operation as the list of voters for the purpose of any bye-election.

(8) Notwithstanding anything contained in the above sub-rules, the provisions of sub-rules (3) to (7) shall not apply to the voters' list of the local authority constituency in cases in which there are more than one local authority for a market area.

11. *Calling upon the constituencies to elect.*—As soon as may be after the final publication of lists of voters under sub-rule (5) of rule 10 the Collector shall call upon the constituencies to elect their representatives to the market committee on a date fixed by him in this behalf.

12. *Notice to elect.*—Not less than 42 days before the date fixed for the election, the Collector shall publish in the regional language of the market area and in such other languages as he may deem necessary, a notice in a newspaper circulating in the market area and post copies of such notice in village chavdis and other conspicuous places in the villages included in that area stating—

(*a*) the number of persons to be elected;

(*b*) the date on which, the place at which and the hours between which nomination papers shall be presented to him or to any other person authorised by him in this behalf, which date shall not be less than 14 days from the date of the publication of notice;

(*c*) the date on which scrutiny of nomination papers shall be made;

(*d*) the date on which and the place or places at which the votes of the electors shall be taken, if there be a poll, and the hours during which the poll shall be taken; and

(*e*) the day on which and the place and hour at which the votes shall be counted.

13. *Nominations.*—(1) Each candidate shall, on the date fixed under clause (*b*) of rule 12 deliver to the Collector or to any other person authorised by him in this behalf, a nomination paper in Form I.

(2) Every nomination paper shall be signed by two persons qualified to vote as proposer and seconder and the candidate shall sign a declaration on it expressing his willingness to stand for election.

(3) The same person may sign, as proposer or seconder, as many nomination papers as there are vacancies to be filled. Each candidate shall be nominated by a separate nomination paper.

(4) The Collector or the person authorised by him in this behalf shall, on receiving a nomination paper enter in the nomination paper its serial number and shall endorse thereon the date on which and the hour at which the nomination paper was delivered to him.

(5) Where any person has signed whether as proposer or seconder a larger number of nomination papers than there are vacancies to be filled, those of the papers so signed which have been first received up to the number of vacancies to be filled shall be deemed to be valid.

(6) Nomination papers received after the date and the time appointed under clause (*b*) of rule 12 shall be rejected.

14. *Verification of nominations.*—On the presentation of a nomination paper, the Collector or the person authorised by him under rule 13 shall verify the names of the proposer, seconder and the candidate with the list of voters.

15. *Publication of list of nominations.*—As soon as may be after the date fixed for the presentation of nomination papers, the Collector or the person authorised by him under rule 13 shall publish a list in Form II of all nominations received with a notice that the nomination papers shall be scrutinized on the date appointed under clause (*c*) of rule 12 at the place and hour specified in the notice. The list of nominations and the notice shall be published in such manner as the Collector or the person authorised as aforesaid may deem fit.

16. *Scrutiny of nominations.*—On the date fixed for the scrutiny of nominations under clause (*c*) of rule 12, the candidates, one proposer and one seconder of each candidate and one other person duly authorised in writing by each candidate may attend at such time and place as the Collector or the person authorised by him under rule 13 may appoint, and the Collector or the person so authorised shall give them all reasonable facilities for examining the nomination papers of all candidates.

17. *Disposal of objections and rejection of nomination.*—(1) The Collector or the person authorised by him under rule 13 shall then examine the nomination papers and shall decide all objections which may be made at the time to any nomination and may, either on such objection or on his own motion after such summary enquiry if any, as he thinks necessary, reject any nomination on any of the following grounds :—

(*i*) that the candidate, the proposer or the seconder is a person whose name is not registered on the list of voters, or

(*ii*) that the nomination has not been made in the manner prescribed under these rules.

(2) The Collector or the person authorised as aforesaid shall endorse on each nomination paper his decision accepting or rejecting the same and, if the nomination paper is rejected, shall record in writing a brief statement of his reasons for such rejection. The scrutiny shall be completed on the day fixed in this behalf under clause (*c*) of rule 12 and shall not be adjourned on any ground.

18. *Withdrawal of candidature.*—(1) Any candidate may withdraw his candidature by notice in writing subscribed by him and delivered either in person by the candidate himself or by any of his proposers or seconders to the Collector or to the person authorised by him under rule 13, within three days of the date succeeding that fixed for the scrutiny of nominations under clause (*c*) of rule 12.

(2) On completion of the scrutiny of nominations and after the expiry of the period within which candidature may be withdrawn under sub-rule (1), the Collector or the person authorised by him as aforesaid shall prepare a list of persons, whose nominations are in order and who have not withdrawn their candidature, in Form III, and cause it to be affixed in some conspicuous place in his office, in the taluka office concerned and in the office of the market committee, not less than seven days before the date fixed for the election.

19. *Procedure at election.*—(1) If the number of candidates who are duly nominated and who have not withdrawn their candidature in the manner and within the time specified in sub-rule (1) of rule 18 exceeds that of the vacancies to be filled, a poll shall be taken.

(2) If the number of such candidates is equal to the number of vacancies, all such candidates shall be declared to be duly elected.

(3) If the number of such candidates is less than the number of vacancies, all such candidates shall be declared to be duly elected, and the Collector or the person authorised by him under rule 13 shall call upon the constituency to fill the remaining vacancy or vacancies, as the case may be, within such time as may be specified.

20. *Arrangements for the holding of election, etc.*—The Collector or the person authorised by him in this behalf shall make such arrangements as may be necessary for the holding and supervision of the election, for the scrutiny of the ballot papers and for declaration of the results of the election.

21. *Voting.*—Every voter shall have as many votes as there are members to be elected on behalf of the constituency and may give all his votes to one candidate or may distribute them among the candidates as he chooses :

Provided that the total number of votes given by him shall not exceed the total number of members to be elected for the constituency.

21-A. *Procedure at election when equality of votes exists.*—If, when a poll has been taken at an election, an equality of votes is found to exist between any candidates, and the addition of one vote will entitle any of the candidates to be declared elected, one additional vote shall be given by the Collector or the person authorised by him in this behalf to the candidate or, as the case may be, the candidates, selected by lot drawn in the presence of the Collector or the person authorised by him in such manner as the Collector or such person may determine.

22. *Death of candidate before poll.*—If after the taking of a poll has become necessary and before the poll is taken a candidate who has been duly nominated dies, the Collector shall, upon being satisfied of the fact of the death of the candidate, countermand the poll and the election proceedings shall be commenced anew in all respects as if for a new election :

Provided that no fresh nomination shall be necessary in the case of a candidate who stood validly nominated at the time of the countermanding of the poll.

23. *Intimation to the Collector of the name of the representative of a local authority.*—In a case in which the market area is wholly within the limits of a local authority, the local authority shall intimate in writing to the Collector the name of the person elected as its representative under clause (*iii*) of sub-section (*1*) of section 6 before a date fixed by the Collector in this behalf.

24. *Filling in casual vacancies in the market committee.*—The procedure for holding a bye-election for purposes of sub-section (*4*) of section 6 shall be the same as that for a general election, provided that the preparation and publication of fresh lists of voters shall not be necessary.

25. *Publication of the names of elected and nominated members of the Committee.*—The names of elected and nominated members of the market committee shall be published in the *Official Gazette* as soon as conveniently may be after their election and nomination.

26. *Person disqualified to cease to be member.*—No person shall continue to be a member of the market committee if at any time after his nomination or election, as the case may be, he becomes subject to any of the disqualifications mentioned in rule 6, and his seat shall thereupon become vacant :

Provided that a person representing an organization of agriculturists, a firm, corporation or a co-operative multi-purpose or sale society shall be debarred from continuing to be such member if he ceases to be a member of the organization of agriculturists, firm, corporation or co-operative multi-purpose or sale society of which he was the representative.

27. *Expenditure in connection with or incidental to such elections.*—All expenditure incurred by the Collector or the person authorised by him under rule 13 in connection with or incidental to the election of members of the market committee shall be recoverable under section 24 from the market committee by the Collector as an arrear of land revenue.

PART III.

Market Committee, its Chairman, Officers and Servants and Disputes Sub-Committee.

Their Functions and Powers.

28. *Election of chairman of the committee.*—(1) The Collector or any person authorised by him in this behalf shall call the first meeting of a newly constituted market committee to elect one of its members to be its chairman. For the purpose of election of the chairman, the Collector or the person authorised by him shall preside over the meeting but shall not vote.

(2) At such meeting a candidate for the office of chairman shall be proposed by one member and seconded by another. The names of all the candidates proposed and seconded shall be read out by the president of the meeting.

(3) If there is only one duly nominated candidate, he shall be declared to have been elected.

(4) If there are two or more such candidates, the votes of the members present at the meeting shall be taken.

(5) Every member wishing to vote shall be supplied with a voting paper on which the names of all the candidates shall be written legibly in English and in the regional language of the place. Every voting paper shall be initialled on the reverse by the president.

(6) A voter shall then place a mark against the name of the candidate for whom he wishes to vote, fold it up and deposit it in a ballot box placed before the president. If a voter is unable to do so, the president may mark the voting paper in the presence of the members, according to the voter's directions, and deposit it in the ballot box.

(7) The president shall then open the ballot box and count the votes in the presence of the members and declare the member who secures the largest number of votes to have been elected as the chairman. If there is an equality of votes among two or more candidates, the president shall draw lots in the presence of the members and the person whose name is first drawn shall be declared to have been elected.

(8) Any voting paper which contains the signature of the voter or on which the mark is placed against more than one name or the reverse of which does not contain the initials of the president, shall be invalid.

(9) Immediately after the meeting, the president shall cause the notice declaring the name of the person elected to be affixed in some conspicuous place in the office of the market committee.

(10) The voting papers shall be sealed by the president and retained in safe custody in the office of the market committee, and the packet containing the voting papers shall not be opened or destroyed except under the orders of the Collector.

29. *Functions and powers of the chairman.*—The chairman shall be the Chief Executive Officer of the committee and all officers and servants of the committee shall, subject to these rules and to the directions, if any, given by the committee, be subject to his control. He shall conduct all correspondence and shall be responsible for the keeping of accounts, for the punctual rendering of all reports and returns and for the custody of all amounts not depoited in the treasury or with a bank approved by the Director.

30. *Term of office and casual vacancy in the office of chairman.*—(1) Any person elected as chairman shall hold office for one year from the date of his election as chairman :

Provided that if the term of the market committee expires before the expiry of his term of office, such person shall hold office until a new market committee comes into office and elects its chairman ;

Provided further that if such person ceases to be a member of the market committee, he shall cease to hold the office of chairman.

(2) In the event of the chairman dying, resigning or ceasing to hold the office for any reason before the expiry of his term of office, the Collector or any person authorised by him in this behalf shall call a meeting of the market committee to elect another person as chairman. The Collector or the person authorised by him shall preside over such meeting but shall not vote. Every chairman elected under this sub-rule shall hold office so long as the chairman in whose place he is elected would have held it if the vacancy had not occurred.

31. *Resignation by chairman or member.*—The chairman or any member of the market committee shall resign his office by a written application to the Collector. No such resignation shall take effect until it is accepted by the Collector.

32. *Meeting of the Committee.*—(1) Every meeting of the market committee other than those referred to in sub-rule (1) of rule 28 and sub-rule (2) of rule 30, shall be presided over by the chairman or in his absence by a member elected by the meeting to preside for the occasion.

(2) The chairman shall be entitled to speak and vote on all questions at the meeting.

(3) The member presiding over a meeting in the absence of chairman shall, for that meeting or during the period in which he presides over it, have all the powers of the chairman.

(4) All questions which may come up before the committee at any meeting shall be decided by the vote of the majority of the members present at the meeting and in

every case of equality of votes the chairman or the presiding member shall have and exercise a second or casting vote.

33. *Minute book to be kept.*—A minute book shall be kept by every market committee and a record of the proceedings of every meeting shall be entered therein by, or under the supervision of, the chairman or other presiding member and shall be signed by him. The minute book shall be permanently preserved. It shall be open to the inspection at all reasonable hours to members of the market committee, and also to the Collector, the Director or any other person authorised by the Collector or the Director in this behalf.

34. *Persons entitled to attend meetings.*—The Collector or any person authorised by him in this behalf and the Director or any person authorised by him in this behalf shall be entitled to attend any meeting of the market committee but they shall not be entitled to vote. A copy of the notice convening every meeting shall be sent to the Collector and the Director or any person authorised by the Director in this behalf.

35. *Copy of proceedings of meetings.*—A copy of the proceedings of every general meeting of the market committee shall be forwarded to the Collector and to the Director or any person authorised by the Director in this behalf.

36. *The market committee to provide for certain matters.*—After paying all sums due to Government, the market committee shall, so far as the funds at its disposal permit but subject to the provisions of the Act and these rules, provide—

(1) for the maintenance and improvement of any enclosure or building which may constitute the market yard,

(2) for the construction and repair of buildings, *chabutras* and other erections necessary for the purpose of the market, and

(3) for the health, convenience and safety of the persons using the market.

37. *Appointment of Disputes Sub-Committee.*—(1) The market committee may appoint a sub-committee called the disputes sub-committee consisting of—

(*i*) one of the nominated members of the committee, who shall be the chairman of the sub-committee ;

(*ii*) one of the representatives of the agriculturists on the market committee ;

(*iii*) one of the representatives of the traders on the market committee ; and

(*iv*) the representative of local authorities on the market committee or, if there is no representative of local authorities on the committee, any other member of the committee,

to arrange for the settlement of disputes between buyers and sellers or their agents including disputes regarding the quality or weight of the article, the allowances for wrappings, containers, dirt or impurities or deductions from any cause :

Provided that the chairman of the market committee shall not be a member of the disputes sub-committee.

(2) The Collector or any person authorised by him in this behalf may require a disputes sub-committee to appoint in respect of each market yard specified by him a panel of not less than 12 persons but not more than 24 persons to act as arbitrators in the settlement of the disputes aforesaid. Every person included in the panel shall be either an agriculturist living in or near the market area or a trader doing business in such area.

(3) Where any such dispute arises, the parties thereto may agree to the settlement thereof in accordance with the following provisions :—

(*a*) The dispute shall be reported to the Secretary of the market committee who shall try to settle the dispute. If he fails, the dispute shall be settled in the following manner on payment of fees fixed by the market committee.

(*b*) Each party to the dispute shall select one arbitrator from the panel appointed for the purpose by the disputes sub-committee.

(*c*) If the arbitrators fail to agree, they may appoint an umpire who shall also be chosen from the panel aforesaid to settle the dispute.

(*d*) An appeal shall lie against the decision of the arbitrators or umpire to the disputes sub-committee.

(*e*) The decision of the arbitrators or umpire or, where an appeal has been made to the disputes sub-committee, the decision of such sub-committee shall be final. The dispute shall, as far as possible, be decided on the spot and on the same day.

(4) No business shall be transacted at a meeting of such-sub-committee unless there be present at least two members.

(5) Every meeting of the sub-committee shall be presided over by the chairman of the sub-committee and in his absence by a member elected by the meeting to preside on the occasion.

(6) All questions which may come before the sub-committee at any meeting shall be decided by the vote of majority of the members present at the meeting and in every case of equality of votes, the chairman or the presiding member shall have and exercise a second or casting vote.

(7) The decision of the sub-committee shall be final.

(8) The market committee shall maintain a full record of all the disputes which come before the disputes sub-committee.

38. *Servants of the market committee.*—(1) The market committee shall appoint a Secretary and may employ such other officers and servants as may be necessary and proper for the efficient execution of its duties.

(2) Such officers and servants shall be divided into two classes :—

(*i*) superior officers and servants, and

(*ii*) inferior servants.

Superior officers and servants shall be the Secretary, clerks and such officers and servants as the Collector may determine. Inferior servants shall be peons, watchmen and other menial servants.

(3) The terms and conditions of service of the superior officers and servants shall be such as are approved by the Collector and those of the inferior servants shall be such as the market committee itself may decide.

(4) The appointments of superior officers and servants shall be made by the market committee subject to the approval of the Collector. Any punishment, revision in pay or terms of service or dismissal of the superior officers and servants shall also be subject to the approval of the Collector. All inferior servants shall be under

the full control of the market committee, but the committee shall make an immediate report to the Collector in regard to their appointments, pay, punishment, dismissal and other matters relating to such servants.

39. *Dutis of market committee.*—The market committee shall furnish all information which the Collector or the Director or the officers duly authorised by either of them may require. In addition to the duties prescribed by the Act and the rules and its own bye-laws the market committee shall also be responsible for—

(1) the maintenance of proper checks on all receipts and payments by its officers;

(2) the proper execution of all works chargeable to the market committee funds; and

(3) keeping a copy of the Act and of the rules and notifications issued thereunder and of its bye-laws open to inspection free of charge at its office.

PART IV.

Market Fund, Expenditure and Accounts.

40. *The Market Committee Fund.*—All money received by the market committee shall be credited to the fund called the Market Committee Fund. Except where Government on application by the market committee or otherwise shall direct, all money paid into the market committee fund shall be credited at least twice a week in full into Government treasury or sub-treasury or a bank duly approved for this purpose by the Director. All balance from the fund shall be kept in such treasury or sub-treasury or bank and it shall not be drawn upon except in accordance with these rules.

41. *Expenditure.*—(1) Every cheque drawn on behalf of the market committee shall be signed by the chairman and its Secretary. In the absence of the chairman it shall be signed by any two members of the market committee and the Secretary and in the absence of the Secretary by the Chairman and one of the members of the market Committee. No such cheque shall be drawn except on a regular detailed bill, either for payment immediately or for issue or recoupment of the imprest, which has been examined and passed by the Chairman. The amount of imprest shall be such as is authorised by the market committee.

(2) Except in the following cases the chairman shall not pass any bill unless the expenditure detailed therein has received the previous sanction of the market committee :—

(1) Salary and allowances of establishment;

(2) Payment for works and repairs sanctioned by competent authority;

(3) Urgent expenditure for which there is budget provision or which does not exceed Rs. 50 :

Provided that in the absence of the chairman the bills for payment of the above nature may be passed and signed by any two members.

42. *Remittance to treasury or bank.*—All remittances to the Government treasury or sub-treasury or bank shall be accompanied by challans or deposit slips in duplicate.

The monthly or other periodical statement of accounts furnished by the treasury or the bank shall be regularly filed and made available for audit.

MO-III Bk H 160—66

43. *Pass-book.*—The pass-book shall be got written up-to-date at least once a month by the treasury or sub-treasury department or the bank by which the original account is kept.

44. *Submission of budget.*—(1) For the purposes of rules 44 to 50, the market year shall be held to commence on the 1st September and end on the 31st August.

(2) The market committee shall hold a meeting each year during the first week of July to prepare a budget of income and expenditure for the ensuing market year. The budget shall be submitted to the Director or any officer authorised by him in this behalf not later than the 15th July for approval and the abstract accounts of the receipts and expenditure of the previous market year shall be submitted to the Director or any such officer not later than the 1st November.

(3) No expenditure shall be incurred for which there is no budget provision unless it can be met by reappropriation from savings under other heads.

45. *Works to be included in the budget.*—No works for which plans and estimates have not been previously prepared and sanctioned may be included in the budget.

46. *Evidence of sanction.*—Plans and estimates for works estimated to cost less than Rs. 500 shall be signed by the chairman of the market committee. In case of original works estimated to cost more than Rs. 500 the professional approval of the municipal engineer, when the market is situated within a municipal district or a municipal borough, and in other cases, of the district local board engineer, and, cases in which there is no such municipal engineer or the district local board engineer, of the Executive Engineer of the Public Works Department division shall be obtained and evidenced by his countersignature.

47. *Supervision of Works.*—All works shall be carried out under the supervision of the Chairman of the market committee or of any member of the market committee duly authorized in this behalf by the Chairman.

48. *Permanent Fund.*—The surplus amount of the market committee fund, at the close of each year shall be credited to the permanent fund of the committee and it shall be used only towards incurring the expenses of a permanent nature such as the construction of buildings, acquisition or purchase of sites.

49. *Annual Report.*—At the end of each market year, the market committee shall prepare an annual report and submit copies of it to the Collector, the Director and to such other officers as may be appointed by the Collctor and the Director.

50. *Accounts and Audit.*—(1) The accounts of the market committee should be maintained in such manner as the Director may direct.

(2) The accounts of the market committee shall be audited locally by the auditors and ub-auditors of the Co-operative Department on payment of such audit fees as may be fixed from time to time by the Director. At the time of audit, the Chairman or any other member of the market committee authorised by him in this behalf shall cause to be produced all accounts registers, documents and other relevant papers which may be called for by the audit officer for the purposes of audit. An explanation called for by that officer for the settlement of any discrepancy shall also be immediately furnished to him.

PART V.

Market Yard and Market Proper.

51. *Declaration of market yard and market proper.*—Government may by notification in the *Official Gazette*, declare—

(*a*) any enclosure, building or locality in any market area to be a market yard.

(*b*) any area, including all land with the buildings thereon, within such distance of the market yard, as it thinks fit, to be a market proper :

Provided that a market proper so declared shall include industrial concerns in the said area with their compounds, godowns and warehouses, where the agricultural produce is stored.

52. *Control and conservancy of the market yard.*—(1) The market committee shall maintain one or more market yards as may be declared under the preceding rule. Subject to these rules and to the general or special orders of Government and to such control as is by these rules or by any other law vested in the Collector or Director or in the municipality, or the district local board, or the village panchayat the market committee shall manage market yards having regard always to the convenience of the trade in agricultural produce and the purposes for which the control is vested in the market committee. The market yard shall be open for trading at such hours as the market committee may from time to time fix. Carts or consignments of agricultural produce intended for sale shall be assembled in the market yard in such manner and at such times as may be permitted, and ingress and egress may be permitted to such persons and at such times as the market committee may consider proper.

(2) In the market area the market committee shall exercise only such rights as may be necessary for the convenient control of the market and for the convenience and comfort of the persons using the market and for collection of the fees, in accordance with the provisions in the bye-laws.

(3) (*a*) The market committee may require the owner or manager of any industrial concern located within the market area to furnish such information in respect of all the agricultural produce for which the market is established and which is handled or used by the industrial concern, as the committee may think necessary for the purposes of the control of the market.

(*b*) Any owner or manager so required to furnish information shall be entitled to appeal against such requisition within one fortnight from the date of the requisition to the Collector whose decision in the matter shall be final.

PART VI.

Fees—Levy and Collection.

53. *Market fees.*—(1) The market committee shall levy and collect fees on agricultural produce brought and sold in the market area at such rates as may be specified in the bye-laws.

(2) The market committee shall also levy and collect license fees from traders, general commission agents, brokers, weighmen, measurers, surveyors and other persons operating in the market according to rates specified in the bye-laws.

(3) No fees shall be levied on agricultural produce brought from outside the market area into the market area for use by the industrial concerns situate in the market area or for export, and in respect of which a declaration has been made and a certificate has been obtained in Form IV.

(4) The seller who is himself the producer of the agricultural produce offered for sale and the buyer who buys such produce for his own private and/or household use shall be exempt from payment of any fees under this rule.

54. *Recovery of fees.*—(1) The fees on agricultural produce shall be payable as soon as it is brought into the market yard or market proper or market area as may be specified in the bye-laws.

(2) The license fees shall be paid along with the application for license but in case the market committee refuses the grant of a license, the fees recovered shall be refunded to the applicant.

55. *Receipt.*—(1) The market committee shall maintain a register showing the fees collected by it. A receipt duly signed by the person authorised by the market committee shall be granted to every person in respect of fees collected from him under these rules or the bye-laws.

(2) Every person authorised by the market committee to collect fees shall pass receipts to the payees, keeping counterfoils of the receipts so granted and shall render account of all receipts at least once a day to the person duly authorised in this behalf by the market committee.

56. *Collection of fees.*—The fees shall be collected by the paid servants of the market committee and the right to collect the fees shall not be farmed out.

57. *Servants to wear badges.*—A servant of the market committee authorised to collect fees, shall wear a suitable badge provided by the market committee.

58. *Security.*—The market committee shall take such security, as it thinks fit, from its employees who are entrusted with the handling of money.

59. *Penalty for evasion of payment of fees.*—Any person removing or attempting to remove agricultural produce from the market yard or market proper or market area, as the case may be, before the fee has been paid and the receipt prepared and granted shall, on conviction, be punishable with fine which may extend to Rs. 50.

PART VII.

Sales and Trading in Markets.

60. *Sale of Agricultural Produce.*—(1) All agricultural produce brought into the market shall pass through the market yards and shall not, subject to the provisions of sub-rule (2), be sold at any place outside such yards.

(2) Processed agricultural produce may be sold either in the market yard, or in the market or in the market area, in accordance with the provisions of the bye-laws. Full details of such sales shall be reported to the market committee by the general commission agent, or if no general commission agent is employed in the transaction, by the trader as well as the buyer.

Explanation.—For the purpose of this sub-rule " processed agricultural produce " shall include ginned cotton, cotton seed, husked paddy, groundnut seeds, but not manufactured produce.

(3) Such details of all agricultural produce resold in the market shall also be reported to the market committee in accordance with the provisions of the bye-laws.

(4) The price of agricultural produce brought into the market for sale shall be settled by open auction or by open agreement and not by secret signs and no deductions shall be made from the agreed price of the consignment except for any authorised trade allowance.

61. *Account of sales to be maintained.*—(1) The market committee shall maintain a record in which regular and proper account of each consignment of the agricultural produce brought in for sale in the market shall be kept.

Explanation.—For the purpose of this sub-rule entries collectively relating to more than one consignment shall not be deemed to be a proper and regular account of consignments.

(2) No cart or consignment which has entered a market yard shall be removed from the said yard except on the presentation at the gate of the market yard of a pass issued under the bye-laws.

62. *Agreement to be executed between buyer and seller.*—(1) Every purchaser of agricultural produce shall sign an agreement, in duplicate, in Form V in favour of the seller before removing it from the market area. One copy of the agreement shall be supplied to the seller and the other shall be kept on the record of the market committee. Printed forms of agreement shall be supplied free of cost by the market committee.

(2) Nothing in this rule shall apply to the purchasers of agricultural produce for their own private and/or household use. The purchase by such purchasers shall be subject to such conditions as may be specified in the bye-laws.

63. *Publication of prices.*—The market committee shall, so far as practicable, place at the disposal of those using the market, information on such matters as the prices of the commercial crops ruling at the principal marketing centres of the tract and at the ports serving the same and the stocks held by mills. The information shall be published in such a manner as will be readily available to all persons using the market.

64. *Penalty for disobedience of orders of committee.*—(1) No person shall—

(*a*) enter a market yard in contravention of a direction given by a servant of a member of the market committee,

(*b*) disobey any of the directions of the market committee in regard to the places where carts laden with agricultural produce may stand or loads of agricultural produce may be exposed or in regard to the road by which or in regard to the times at which they may proceed.

(2) Any person contravening or disobeying any of the directions referred to in sub-rule (1) shall, on conviction, be punishable with fine which may extend to Rs. 10 for the first offence and to Rs. 50 for any subsequent offence.

65. *Licensed Traders and General Commission Agents.*—(1) No person shall do business as a trader or a general commission agent in agricultural produce in any market area except under a license granted by the market committee under this rule.

(2) Any person desiring to hold such license shall make a written application for a license to the market committee and shall pay such fee as may be specified in the bye-laws.

(3) On receipt of such application together with the proper amount of the fee the market committee may, after making such enquiries, as may be considered necessary for the efficient conduct of the market, grant him the license applied for. On the grant of such license the applicant shall execute an agreement in such form as the market committee may determine, agreeing to confirm with these rules and the bye-laws and such other conditions as may be laid down by the market committee for holding the license.

(4) Notwithstanding anything contained in sub-rule (3), the market committee may refuse to grant a license to any person, who, in its opinion, is not solvent or whose operations in the market area are not likely to further efficient working of the market under the control of the market committee.

(5) The license shall be granted for a period of one year, after which it may be renewed on application and on payment of such fees as may be specified in the bye-laws.

(6) The names of all such traders and general commission agents shall be entered in a register to be maintained for the purpose.

(7) Whoever does business as a trader or a general commission agent in agricultural produce in any market area without a license granted under this rule or otherwise contravenes any of the provisions of this rule shall, on conviction, be punishable with fine which may extend to Rs. 200 and in the case of a continued contravention with a further fine which may extend to Rs. 50 for every day during which the contravention continues after the date of the first conviction, subject to the maximum of Rs. 200.

66. *Powers of the market committee to suspend or cancel the license granted to traders and general commission agents.*—(1) The market committee may, by a resolution passed by a majority consisting of not less than two-thirds of its members, cancel or suspend for a fixed period the license granted to any trader or general commission agent if he contravenes any of the conditions of his agreement or license or of the rules or bye-laws or who, in the opinion of the market committee, is not solvent :

Provided that no order cancelling a license or suspending it for a period more than six months shall be passed without the previous approval of the Collector.

(2) An appeal shall lie against the decision of the market committee given under sub-rule (1) to such officer as may be authorised by the Collector in this behalf and the decision of such officer in such appeal shall be final :

Provided that such appeal is made within 30 days of the date of decision of the market committee and the appellant abides by the decision of the market committee from the date of such decision till the date of the orders passed in appeal.

67. *Licensed brokers, weighmen, measurers and surveyors.*—(1) No person shall do business in any market area as a broker, weighman, measurer or surveyor except under a license granted by the market committee.

(2) Any person desiring to hold such license shall make a written application for a license to the market committee and shall pay such fees as may be specified in the bye-laws.

(3) On receipt of such application together with the proper amount of the prescribed fee, the market committee may, after making such enquiries as may be considered necessary for the efficient running of the market, grant him the license applied for. On the grant of such license the applicant shall sign an agreement in such form as the market committee may determine agreeing to conform with the bye-laws and such other conditions may be laid down by the market committee for holding the license.

(4) Notwithstanding anything contained in sub-rule (3), the market committee may refuse to grant a license to any person, who, in its opinion, is not solvent or whose operations in the market area are not likely to further the efficient working of the market under the control of the market committee.

(5) The license shall remain in force from the date on which it is granted till 31st August following and may be renewed thereafter on application and on payment of such fees as may be specified in the bye-laws.

(6) The market committee may, by a resolution, cancel or suspend for a fixed period the license granted to any broker, weighman, measurer or surveyor if he contravenes any of the conditions of his agreement or license or of the rules or bye-laws or if in the opinion of the market committee his continuance as a license-holder is likely to be detrimental to the working of the market.

(7) An appeal shall lie against the decision of the market committee given under sub-rule (6) to such officer as may be authorised by the Collector in this behalf and the decision of such officer in such appeal shall be final:

Provided that such appeal is made within 30 days of the date of the decision of the market committee and the appellant abides by the decision of the market committee from the date of such decision till the date of the orders passed in appeal.

(8) The chairman may suspend the license of any broker, weighman, measurer or surveyor for any default for a period which may extend to one month.

(9) No person shall be entitled to do business other than that for which he holds a license or licenses.

(10) No person who is in the service of another person shall be eligible to hold a license as a broker, weighman, measurer or surveyor. If any licensed broker, weighman, measurer or surveyor enters service or does business other than that for which he holds a license or licenses, his license or licenses shall be deemed to have been cancelled.

68. *Charges for brokerage, weighing, measuring and surveying.*—The fee payable to a licensed broker, weighman, measurer or surveyor in respect of his services shall be such as may be specified in the bye-laws.

69. *Keeping of books by broker, weighman, measurer and surveyor.*—Every broker, weighman, measurer and surveyor licensed under these rules shall keep such books in such form and render such periodical returns and at such time and in such form as the market committee may from time to time direct and shall render such assistance in the collection and prevention of the evasion of fees due under these rules and bye-laws and in the prevention of the breach of the rules and bye-laws as may be required by the market committee.

70. *Equipment for weighmen, measurers and surveyors.*—Every weighman, measurer and surveyor shall possess such equipment as may be laid down in the bye-laws.

71. *Employing of a general commission agent, broker or surveyor.*—No person shall, in the absence of an express agreement, be bound to employ a broker, a surveyor or a commissioned agent in any transaction or be required to pay for any broker, commissioned agent or surveyor employed by any other party to a transaction or when none is employed.

72. *Licensed weighman or measurer to wear a badge.*—Every licensed weighman or measurer when plying his trade shall wear a distinguishing badge of a suitable pattern provided by the market committee. A deposit of not less than one and not more than five rupees to cover the cost of the badge shall be paid to the market committee by every licensed weighman or measurer.

73. *Penalties for plying trade without license or badge.*—Any person working in the market as a broker, weighman, measurer or surveyor without a license or any weighman or measurer plying his trade without the authori ed badge shall, on conviction, be punishable with fine which may extend to Rs. 200.

74. *General commission agents, etc., not to receive fees other than those specified for their services.*—No licensed general commission agent or his servant and no broker, weighman, measurer and surveyor shall olicit or receive fees other than those specified for their services in the bye-laws. For contravention of the provisions of this rule their license shall be liable to be cancelled forthwith.

75. *Trader or his servant not to solicit brokerage or weighing, measuring or surveying charges.*—If any trader or his servant or agent solicits or receives any fees for brokerage or weighing, measuring a or surveying charges, his license shall be liable to be cancelled forthwith.

76. *Weighment or measuring by licensed weighmen or measurers.*—In the case of a sale or purchase of agricultural produce, all weighment and measuring shall be done by licensed weighmen and measurers.

77. *Penalties to licensed general commission agent, broker, surveyor, weighman or measurer for demanding or receiving any sum not authorised by rules or bye-laws.*—Any licensed general commission agent, broker, weighman, measurer or surveyor who shall demand, receive or retain or shall permit any other person to demand, receive or retain on account of or under the colour of, fees due in respect of his service, any sum not due under these rules or the bye-laws or a larger sum than is due under these rules or the bye-laws, or from a person who is not liable to pay under these rules or bye-laws and any person who, not being a licensed general commission agent, broker, weighman, measurer or surveyor, shall demand, receive, or retain or facilitate the demanding, receiving or retaining of such sums, shall, on conviction, be punishable with fine which may extent to Rs. 200.

78. *The licensed trader to provide equipment for weighing and measuring.*—(1) The licensed trader shall provide or arrange to provide all such necessary authorised weights and measures and authorised weighing instruments at the time of taking delivery of agricultural produce sold in the market area as may be specified in the bye-laws.

(2) No licensed trader shall use weights and measures or weighing instruments other than authorised weights and measures or weighing instruments.

(3) Any licensed trader who commits a breach of the provisions of this rule shall be deemed to have violated the conditions of his license.

79. *Weights and measures to be used in market area.*—No weight, measure or weighing or measuring instrument other than an authorised weight, measure or weighing or measuring instrument shall be used in any market area.

80. *Units of price quotations to be used in the market area.*—The units of price quotations in every market area shall be in terms of authorised weights and measures and shall be such as are approved by the Director or any officer authorised by him in this behalf.

81. *Inspection of scales, weights and measures.*—The chairman, every member of the market committee and every employee of the market committee authori ed by the market committee in this behalf, shall be entitled, at any time and without notice, to inspect, examine and compare any weight or measure, and weighing or measuring instruments used, kept or possessed in any open place within the limits of the market area, market proper or market yard.

82. *A set of standard weights and measures, weighing and measuring instruments to be kept by the market committee.*—The market committee shall keep at least one set of such weights and measures and weighing and measuring instruments as are standard weights, measures and weighing and measuring instruments, respectively, under the Bombay Weights and Measures Act, 1932, and as are in use in the market area. Such standard weights, measures and weighing and measuring instruments shall be available to the public for inspection and checking at all reasonable hours.

83. *Counterbalancing in weighment.*—If any rope or gunny bag or any other article is used to tie bundles in the pan on the goods side of the scale, a weight equivalent to the weight of the rope or of the gunny bag or of the article so used shall be added to the pan on the weight side of the scales in order to counter balance the weight of the rope or of the gunny bag or of the article used for tying the bundles.

84. *Weighment on a weigh-bridge.*—Where the funds at its disposal permit, the market committee may, and, if required by Government, shall, erect one or more weigh-bridges in the market and shall be responsible for keeping the same in proper working order. Any buyer or seller may at his option have his produce weighed on it on payment of the fees fixed under the bye-laws.

85. *Inspection of weights and measures and weighing and measuring instruments.*—(1) All weights and measures and weighing or measuring instruments which are in use in the market area shall be verified and stamped by the Inspector appointed under section 19 of the Bombay Weights and Measures Act, 1932 (hereinafter referred to as the ' Inspector of Weights and Measures ') within whose jurisdiction the market is situated, in accordance with the provisions of the said Act and the rules made thereunder.

(2) Every licensed trader, general commission agent, weighman or measurer shall, on a requisition in writing being made to him by the chairman of the market committee, immediately produce for examination all and every scale and weight and measure used, kept, or possessed by him, or by any person or persons under his authority or control and shall allow the chairman to inspect, examine and compare the same.

(3) On a requisition by the market committee, the Inspector of Weights and Measures, in whose jurisdiction the market area is situated, shall carry out the inspection and testing of weights, measures and weighing or measuring instruments in use in the market area and shall take such action as is consistent with the provisions of the Bombay Weights and Measures Act, 1932, and the rules made thereunder.

(4) An appeal against the decision of the market committee under sub-section (*1*) of section 12 shall lie within thirty days of such decision to the Director of Industries whose decision in such appeal shall be final.

86. *Report regarding unauthorised weights and measures and weighing and measuring instruments.*—If in the absence of an Inspector of Weights and Measures any weight or measure or weighing or measuring instrument is, on examination, reasonably suspected to be unauthorised, a report shall forthwith be made by the chairman of the market committee in writing to the Inspector of Weights and Measures, who shall thereupon proceed in according with the provision of the Bombay Weights and Measures Act, 1932, and the rules made thereunder.

87. *Penalty for disobedience of order to produce weights or measures or weighing or measuring instruments for examination.*—Whoever being bound under the provisions of rule 85 to produce any weights or measures and weighing or measuring instruments for examination or allow the examination, inspection, or comparison of any weight or measure or weighing or measuring instrument, does not produce the weights or measures or weighing or measuring instruments or does not allow the examination, inspection or comparison of any weight or measure or weighing or measuring instrument shall, on conviction, be punishable with fine which may extend to Rs. 200.

88. *Storing of agricultural produce.*—All agricultural produce brought into a market shall be stored at such places as may be specified in the bye-laws. Pending such arrangements, the agricultural produce brought into the market when unsold may be stored in the compounds, godowns and warehouses owned or hired by the licensed general commission agent or broker for that purpose. The goods so stored shall be weighed in the presence of the seller or his representative at the time of delivery for storing and an acknowledgment indicating the kind and weight of goods shall be given by the licensed general commission agent or broker to the seller. Such storing of agricultural produce shall be subject to the payment of such storage fee and such other conditions as may be specified in the bye-laws.

89. *Regulation of advances to agriculturists.*—A licensed general commission agent or broker may give advances either in cash or in kind to agriculturists, but such advances shall be made subject to the following conditions :—

(1) If any agreement is entered into between the lender and the borrower, the lender shall supply a copy of the agreement to the borrower.

(2) When the advances are given from time to time, an account book of the advances given and repayments made shall be kept in the manner laid down in the bye-laws. The lender shall give a copy of such account book to the borrower and enter and attest with his signature every individual transaction of lending and recovery in the copy of the account book so given.

90. *Prevention of adulteration of agricultural produce.*—It shall be the duty of the market committee to take all possible steps to prevent the adulteration of agricultural propduce in the market area and no person doing business in the market area shall cause adulteration of agricultural produce in such area.

Explanation.—For the purposes of this rule, adulteration of agricultural produce shall include the mixing of last pickings of cotton or inferior variety of cotton with superior variety of cotton, bold linseed with small linseed, ghee with vegetable ghee and mixing of earth, dirt and stones or any other extraneous matter with any agricultural produce.

91. *The grading and standardisation of the agricultural produce.*—The market committee shall maintain for the use of sellers and buyers a set of samples of standard grades of agricultural produce sold at the market and shall renew the same as may be necessary from time to time. The market committee shall also arrange to keep and exhibit samples of different grades of agricultural produce with indications of parity prices based on rates ruling in terminal and key markets like ombay, for the information of sellers and buyers.

92. *Keeping of price list.*—The market committee shall maintain daily lists of prices of different types and grades of agricultural produce in respect of which the market is established.

93. *Collector empowered to call meeting of the market committee.*—On requisition from at least half of the number of members of the market committee or of his own motion the Collector may, if he is satisfied about the urgency of the matter, call a special meeting of the market committee to consider matters of immediate importance for the working of the market.

94. *Special provisions when these rules come into force for the first time.*—Government may by notification in the *Official Gazette* suspend during the first year of the establishment of the market in any market area the operation of any of the provisions of these rules for such period and to such extent as it thinks fit.

FORM I.

[*See* Rule 13 (1).]

NOMINATION PAPER.

1. Name of the constituency.
2. Full name of candidate.
3. Number of candidate in the list of voters.
4. Father's or husband's name.
5. Age.
6. Sex.
7. Community.
8. Occupation and address.
9. Full name of proposer.
10. Number of proposer in the list of voters.
11. Signature of the proposer.
12. Full name of the seconder.
13. Number of the seconder in the list of voters.
14. Signature of the seconder.

CANDIDATE'S DECLARATION.

I declare that I am willing to stand for election.

Signature of candidate.

Certificate of delivery by the Collector or other authorised person.

Serial No.

This nomination paper was delivered to me by

(person) at (date and hour).

Signature of the Collector or other authorised person.

Instruction.—Nomination papers which are not presented to the Collector or other authorised persons before (hour) on the

day of 19 , shall not be received.

FORM II.

[*See* Rule 15.]

LIST OF NOMINATIONS RECEIVED ON (DATE)
FOR CONSTITUENCY.

1. Serial number.
2. Name of candidate.
3. Father's or husband's name.
4. Sex.
5. Community.
6. Occupation and address.
7. Name of proposer.
8. Name of seconder.

Note.—The nomination papers shall be taken up for scrutiny at $\frac{\text{a. m.}}{\text{p. m.}}$ the day of at (place).

Signature of the Collector or person authorized by him.

FORM III.

[*See* Rule 18 (2).]

LIST OF VALID NOMINATIONS.

1. Serial number.
2. Name of candidate.
3. Sex.
4. Community.
5. Address.

Note.—The poll shall be taken between and at the polling stations already notified.

Signature of the Collector or person authorized by him.

FORM IV.

[*See* Rule 53 (3).]

FORM OF DECLARATION AND CERTIFICATE.

Kind of agricultural produce.	Carts and packages.	Where bought.	Name of seller.	Through whom bought.	Name of the buyer or his agent.
1	2	3	4	5	6

I hereby certify that the above-mentioned agricultural produce has been bought outside the limits of the market area and brought in the limits of the market for the purposes of—

Dated. Signature.

FORM V.

[*See* Rule 62 (1).]

FORM OF AGREEMENT.

Name of seller and his village.
Name of general commission agent, if any.
Name of buyer or his agent.
Number of carts, packages and loads.
Kind of produce, quality.
Rate.
Place of delivery.

Date. Market fee. Ticket number.
Rs. a. p.

Signature of market committee's servant.

I hereby agree that when the above-mentioned agricultural produce is unloaded, if I refuse to take it at the rate stated above, the matter shall be referred for arbitration in accordance with the provisions contained in rule 37 of the Bombay Agricultural Produce Markets Rules, 1941. I bind myself to accept the decision given in such arbitration under the said rule.

Signature of the buyer or his agent.

G. N., R. D., No. 991/33, dated 5th April 1941 (B. G., Pt. IV-B. p, 232).

In exercise of the powers conferred by section 29 of the Bombay Agricultural Produce Markets Act, 1939 (Bom. XXII of 1939), the Government of Bombay is pleased to amend item No. VI of agricultural produce specified in the Schedule to the said Act, as follow, namely :—

For the said item No. VI following shall be substituted, namely :

"VI. Gul, sugar and sugarcane."

G. N., R. D., No. 191, dated 15th June 1950 (B. G., Pt. IV-B, p. 1322).

In exercise of the powers conferred by section 29 of the Bombay Agricultural Produce Markets Act, 1939 (Bom. XXII of 1939), the Government of Bombay is pleased to amend the Schedule of Agricultural Produce annexed to the said Act as follows :—

In item No. III, the following shall be added :—

"(10) Kulthi.

(11) Splits (Dal) of pulses."